

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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FEDERAL DEPOSIT INSURANCE  
CORPORATION as Receiver for Broadway Bank  
ex rel. LEE MONCHO,

Plaintiff,  
-against-

14 CIVIL 6003 (GBD)

**JUDGMENT**

FIFTH THIRD BANK, N.A., as  
successor-in-interest to MB FINANCIAL  
BANK, N.A.,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Decision and Order dated January 19, 2023, because Moncho's qui tam action is based upon the public disclosure of allegations or transactions within the meaning of § 3730(e)(4)(A), and because Moncho is not an "original source" of the pertinent information within the meaning of § 3730(e)(4)(A) and (B), this case must be dismissed under the FCA's public disclosure provision. Defendant's motion to dismiss, (ECF No. 66), is GRANTED; accordingly, the case is closed.

**Dated:** New York, New York

January 19, 2023

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**